

BOROUGH OF JAMESBURG
GOVERNING BODY REORGANIZATION MEETING
MINUTES
JANUARY 5, 2022
7:00 PM

CALL TO ORDER: This meeting is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met. Any contracts awarded require the contractor to comply with N.J.S.A.10:5-31 et.seq. and N.J.A.C. 17:27. Also, in the event of a fire and pursuant to the N.J. Uniform Fire Code, members of the audience are requested to take notice of the exits at the front and rear of the Council Chambers as well as in the main hallway.

FLAG SALUTE: Led by Mayor Lowande

ROLL CALL – 2021 GOVERNING BODY:

Mayor Lowande
Council President Sussman - *ABSENT*
Council Member Czarneski
Council Member Ludas
Council Member Rampacek
Council Member Rutsky
Council Member Shaughnessy - *ABSENT*
Administrator Capabianco

Borough Attorney – Raffetto -

INAUGURATION OF NEWLY ELECTED MAYOR AND COUNCIL MEMBERS:

Council Members Spillane and Taylor were sworn in.

ROLL CALL – 2022 GOVERNING BODY:

Mayor Lowande
Council Member Czarneski
Council Member Ludas
Council Member Rampacek
Council Member Rutsky
Council Member Spillane
Council Member Taylor
Administrator Capabianco

RESOLUTION: - #001-01-05-22

Appoint Borough Attorney – Raffetto

APPOINT BOROUGH ATTORNEY

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT FREDERICK C. RAFFETTO AS BOROUGH ATTORNEY, HIS TERM TO EXPIRE DECEMBER 31 2022, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski		X	X			
Council Member Ludas	X		X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

MAYOR CALLS FOR NOMINATIONS FOR COUNCIL PRESIDENT:

Council Member Shannon Spillane nominated Council Member Samanthe Rampacek for President.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane	X		X			
Council Member Taylor		X	X			
Mayor Lowande						

ESTABLISHMENT OF ANNUAL COUNCILMATIC COMMITTEES AND MEMBERS:

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

MAYORAL APPOINTMENTS NOT REQUIRING ADVICE AND CONSENT OF COUNCIL:

PUBLIC COMMENT PERIOD – ANY ITEM - EXCLUDES ORDINANCES (they have their own public hearing): Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.

MOTION TO OPEN TO PUBLIC COMMENT:

Proposed By: Taylor
 Seconded By: Spillane

Bertin Lefkovic – 27 Lake Street

Mr. Lefkovic thanked Councilmembers Sussman and Shaughnessy for their great work on Council. He congratulated new Councilmembers Spillane and Taylor. He liked that 2 Republicans nominated a Democratic president. He would like to continue his works in opening of a cannabis dispensary. The referendum in November was very close. He would like the council to take time to listen to the residents.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Rampacek
 Seconded By: Taylor

ORDINANCES FIRST READING BY TITLE ONLY – (Public Hearing January 19, 2022)

ORDINANCE #01-22

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS RESULTING FROM HURRICANE IDA IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$740,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$703,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Jamesburg, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$740,000, including the sum of \$37,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the

principal amount of \$703,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various capital improvements resulting from Hurricane Ida, including, but not limited to, asbestos/mold clearance and heating, ventilation air-conditioning cleaning, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time

subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$703,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment

of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

RECORD OF VOTE:

FIRST READING: January 05-22

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek		X	X
Council Member Rutsky			X
Council Member Spillane			X
Council Member Taylor			X
Mayor Lowande			

PUBLICATION: January 8, 2022

SECOND READING: January 19, 2022

PUBLIC HEARING: January 19, 2022

CONSENT AGENDA:

All matters listed on tonight's Consent Agenda are to be considered as one vote by the Borough Council and will be enacted by one motion. Any resolutions listed on the agenda with ** next to their respective number are to be considered as part of the Consent Agenda. There will be no discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

CONSENT AGENDA RESOLUTIONS:

RESOLUTION #002-01-05-22**

APPOINT AN HONORARY TOWN HISTORIAN

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT HAL SODEN, JR. TO THE VOLUNTEER POSITION OF HONORARY TOWN HISTORIAN.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #003-01-05-22**

APPOINT TAX SEARCH OFFICER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT KEVIN HATCH, C.T.C. AS TAX SEARCH OFFICER FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #004-01-05-22**

APPOINT INSURANCE COMMISSIONER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT MICHAEL CAPABIANCO AS INSURANCE COMMISSIONER FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #005-01-05-22**

APPOINT CERTIFYING OFFICER AS REQUIRED BY THE DIVISION OF PENSIONS AND BENEFITS

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT ACTING CHIEF FINANCIAL OFFICER MICHAEL CAPABIANCO AS CERTIFYING OFFICER FOR THE YEAR 2022, AS REQUIRED BY THE NEW JERSEY DIVISION OF PENSIONS AND BENEFITS.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION # 006-01-05-22**

APPOINT PUBLIC AGENCY COMPLIANCE OFFICER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT MICHAEL CAPABIANCO AS PUBLIC AGENCY COMPLIANCE OFFICER FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #007-01-05-22**

APPOINT CHAPLAIN TO POLICE DEPARTMENT

I, MAYOR MARLENE LOWANDE, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT PATRICK SMITH AS CHAPLAIN TO THE BOROUGH POLICE DEPARTMENT.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #008-01-05-22**

APPOINT MEMBERS OF CITIZENS ADVISORY COMMITTEE

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FOLLOWING TO THE CITIZENS ADVISORY COMMITTEE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, THEIR TERMS TO EXPIRE DECEMBER 31, 2022:

DARIA LUDAS
MICHAEL CAPABIANCO
BILL MARESCA
DELLA FITCH

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #009-01-05-22**

APPOINT CLEAN COMMUNITIES' COORDINATOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT MICHAEL CAPABIANCO AS CLEAN COMMUNITIES' COORDINATOR FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #010-01-05-22**

APPOINT SAFETY OFFICER PURSUANT TO DCA BEST PRACTICES

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT MICHAEL CAPABIANCO TO THE POSITION OF SAFETY OFFICER FOR THE BOROUGH OF JAMESBURG PURSUANT TO DCA BEST PRACTICES.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #011-01-05-22**

ESTABLISHING AND APPOINTING SAFETY AND LOSS CONTROL COMMITTEE

WHEREAS, THE BOROUGH OF JAMESBURG IS A MEMBER OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND (M.C.M.J.I.F.); AND

WHEREAS, THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND MANDATES THAT EACH MEMBER MUNICIPALITY ESTABLISH A LOCAL SAFETY AND LOSS CONTROL COMMITTEE UNDER THE DIRECTION OF THE M.C.M.J.I.F. EXECUTIVE OFFICER AND/OR SAFETY AND LOSS CONTROL MANAGER;

NOW, THEREFORE BE AND IT IS HEREBY RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT A SAFETY AND LOSS CONTROL COMMITTEE IS ESTABLISHED AS PER THE MANDATES OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND, WHICH IS GRANTED THE AUTHORITY TO RECOMMEND POLICY AND PROCEDURES.
2. THAT FINANCE OFFICER/INSURANCE COMMISSIONER MICHAEL CAPABIANCO, AND PUBLIC WORKS FOREMAN JOSEPH INTRAVARTOLA AND POLICE CHIEF JAMES CRAPAROTTA SHALL SERVE AS MEMBERS OF THE SAFETY AND LOSS CONTROL COMMITTEE FOR THE YEAR 2022.
3. THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND FOR THEIR RECORDS.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #012-01-05-22**

APPOINT RIGHT-TO-KNOW COORDINATOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT JOSEPH INTRAVARTOLA AS THE RIGHT-TO-KNOW COORDINATOR FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #013-01-05-22**

APPOINT RECYCLING COORDINATOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT JOSEPH INTRAVARTOLA AS THE RECYCLING COORDINATOR FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #014-01-05-22**

APPOINT DEPUTY HOUSING INSPECTOR - WRIGHT

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT BRIAN WRIGHT TO THE POSITION OF DEPUTY HOUSING INSPECTOR.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #016-01-05-22**

APPOINTMENT OF CLASS III MEMBER TO THE COMBINED LAND USE BOARD –

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT SHANNON SPILLANE, AS THE CLASS III MEMBER TO THE COMBINED LAND USE BOARD OF WHICH TERM TO EXPIRE DECEMBER 31, 2022, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #017-01-05-22**

APPOINTMENT OF ALTERNATE MEMBERS TO THE COMBINED LAND USE BOARD – PATTY BISIGNANO AND SHARON SIMON

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT PATTY BISIGNANO AND SHARON SIMON AS ALTERNATE MEMBERS TO THE COMBINED LAND USE BOARD OF WHICH TERM TO EXPIRE DECEMBER 31, 2022, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #018-01-05-22**

APPOINT TOWING CONTRACTORS TO A ROTATING LIST TO BE UTILIZED BY THE JAMESBURG POLICE DEPARTMENT

WHEREAS, on September 25, 2002, the governing body of the Borough of Jamesburg did approve Ordinance #20-02, which regulates the towing of vehicles; and

WHEREAS, the aforementioned Ordinance mandates that Towing Contractors must submit certification of their compliance with the Ordinance, by October 31 of each year; and

WHEREAS, Section 7-3.3 of the Ordinance calls for the Borough Council to annually establish, by Resolution, a list of Automobile Towing Contractors and a list of Truck Towing Contractors to be utilized by the Borough Police Department on a rotating basis;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg that the following Towing Contractors shall be used on a rotating basis, by the Borough Police Department for the year 2022:

AUTOMOBILE TOWING CONTRACTORS

George Logan Towing
 1979 Old Georges Road
 North Brunswick, NJ 08902
 732-297-0391

First Due Towing & Recovery
 1615 Englishtown Rd
 Old Bridge, NJ 08857
 732-251-3384

Boyce's Towing
 1706 Englishtown Road
 Old Bridge, NJ 08857
 732-446-4996

Riporti;s Auto Wholesalers
 1615 Englishtown Road
 Old Bridge, NJ 08857
 732-307-2478

DeFalco's Automotive Services LLC
 843 State Road 33 West
 Monroe Twp., NJ 08831
 609-301-8305

Taylor's Towing dba MHDT, LLC
 843 R 33 West
 Monroe Twp., NJ 08831
 609-301-8305

TRUCK TOWING CONTRACTORS

George Logan Towing
 1979 Old Georges Road
 North Brunswick, NJ 08902
 732-297-0391

Boyce's Towing
 1706 Englishtown Road
 Old Bridge, NJ 08857
 732-446-4996

Taylor's Towing dba MHDT, LLC
 843 R 33 West
 Monroe Twp., NJ 08831
 609-301-8305

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #019-01-05-22**

ACCEPT THE 2022 CASH MANAGEMENT PLAN AND INVESTMENT POLICY OF THE BOROUGH OF JAMESBURG

WHEREAS, N.J.S.A. 40A:5-14, REQUIRES THAT “EACH LOCAL UNIT SHALL ADOPT A CASH MANAGEMENT PLAN AND SHALL DEPOSIT ITS FUNDS ACCORDING TO THAT PLAN”; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER OF THE BOROUGH OF JAMESBURG HAS SUBMITTED A CASH MANAGEMENT PLAN, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE ATTACHED 2022 CASH MANAGEMENT PLAN OF THE BOROUGH OF JAMESBURG BE ACCEPTED AND FILED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #021-01-05-22*

APPOINT BOROUGH LABOR ATTORNEY - SHAKLEE

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT RICHARD J. SHAKLEE, ESQ., OF THE FIRM MCLAUGHLIN GELSON, D'APOLITO & STAUFFER, LLC., AS BOROUGH LABOR ATTORNEY, HIS TERM TO EXPIRE DECEMBER 31, 2022, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #022-01-05-22**

APPOINT BOROUGH ENGINEER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FIRM REMINGTON & VERNICK ENGINEERS, AS BOROUGH ENGINEER FOR A TERM TO EXPIRE DECEMBER 31, 2022 OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #023-01-05-22**

APPROVE TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract or payments are to be made prior to the final adoption of the 2022 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January 2022; and

WHEREAS, the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of \$6,123,965.38; and

WHEREAS, 26.25% of the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of \$1,607,540.91.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Jamesburg, County of Middlesex, State of New Jersey that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #024-01-05-22**

APPOINT BOROUGH AUDITOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT THE FIRM OF HOLMAN, FRENIA & ALLISON PC, AS BOROUGH AUDITORS FOR A TERM TO EXPIRE DECEMBER 31, 2022, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #025-01-05-22**

REPRESENTATIVE TO COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, EACH MUNICIPALITY IN THE COUNTY OF MIDDLESEX, HAVING ENTERED INTO AN AGREEMENT WITH THE COUNTY OF MIDDLESEX TO PLAN FOR THE USE OF AND RECEIVE FROM THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1972; AND

WHEREAS, THIS COMMITTEE HAS BEEN NAMED THE MIDDLESEX COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM COMMITTEE; AND

WHEREAS, EACH MUNICIPLITY IS REQUESTED TO APPOINT TWO MEMBERS TO SAID COMMITTEE, THE FIRST BEING A MAYOR'S APPOINTMENT AND THE SECOND BEING AN APPOINTMENT OF THE GOVERNING BODY;

WHEREAS, WILLIAM MARESCA IS THE MAYORAL APPOINTEE; AND

NOW, THEREFORE, BE IT RESOLVED, THAT DARIA LUDAS IS HEREBY APPOINTED AS THE GOVERNING BODY'S REPRESENTATIVE TO THE MIDDLESEX COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM COMMITTEE FOR THE YEAR 2022.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #026-01-05-22**

APPOINT RECREATION DIRECTOR

I, MAYOR MARLENE LOWANDE, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT MYSELF (MARLENE LOWANDE) TO THE POSITION OF RECREATION DIRECTOR FOR THE BOROUGH OF JAMESBURG, THIS TERM EXPIRING DECEMBER 31, 2022, OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #027-01-05-22**

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND FREDERICK C. RAFFETTO, ESQ OF ANSELL, GRIMM & AARON P.C.

WHEREAS, A RESOLUTION HAS BEEN ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG APPOINTING FREDERICK C. RAFFETTO, ESQ. TO SERVE AS BOROUGH ATTORNEY FOR THE BOROUGH OF JAMESBURG; AND

WHEREAS, THE MAYOR IS AUTHORIZED TO ENTER INTO AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE SERVICES AND COMPENSATION OF THE BOROUGH ATTORNEY FOR THE TERM OF JANUARY 1, 2022 TO DECEMBER 31, 2022; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 et seq., AUTHORIZES THE AWARDED OF A CONTRACT FOR PROFESSIONAL SERVICES WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFOR, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC

INSPECTION IN THE OFFICE OF THE CLERK AND THAT NOTICE OF THE AWARDING OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND FREDERICK C. RAFFETTO, ESQ. REGARDING THE ABOVE-REFERENCED SERVICES, AND THAT SAID CONTRACT IS HEREBY RATIFIED AND CONFIRMED.

2. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5 OF THE LOCAL PUBLIC CONTRACTS LAW OF NEW JERSEY, BECAUSE THE SERVICES WILL BE PERFORMED BY PERSONS AUTHORIZED BY LAW TO PRACTICE A RECOGNIZED PROFESSION AND IT IS NOT POSSIBLE TO OBTAIN BIDS FOR SUCH NEEDED QUALITATIVE SERVICES.

3. THAT THE CHIEF FINANCIAL OFFICER IS DIRECTED TO FILE A CERTIFICATE OF AVAILABILITY OF FUNDS FOR THIS CONTRACT AND TO ATTACH SAME TO THIS RESOLUTION.

4. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.

5. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- a. FREDERICK C. RAFFETTO, ESQ.
- b. MICHAEL CAPABIANCO CHIEF FINANCIAL OFFICER.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #030-01-05-22**

AUTHORIZING AGREEMENT FOR PROFESSIONAL AUDITOR – HOLMAN, FRENIA & ALLISON PC

WHEREAS, the Borough of Jamesburg has a need to retain an auditor for the year 2022: and

WHEREAS, the Purchasing Official has determined and certified in writing that the value of this contract shall exceed \$17,500, and therefore the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, Holman, Frenia & Allison PC, has submitted a proposal to perform the necessary auditing services: and

WHEREAS, this contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(l), because professional legal services are a recognized profession licensed and regulated by law; and

WHEREAS, Holman, Frenia & Allison PC has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), which certifies that Holman, Frenia & Allison PC has not made any reportable contributions to a political or candidate committee in the Borough of Jamesburg in the previous year, and that the contract will prohibit Holman, Frenia & Allison PC from making any reportable contributions through the term of the contract; and

WHEREAS, the services to be provided are considered “professional services” under the local public contracts law, N.J.S.A. 40A:11-1, ET SEQ.: and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, the Borough Chief Financial Officer has certified to the availability of funds for this contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg, in the County of Middlesex and State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the Borough Clerk to attest the attached Agreement between the Borough of Jamesburg and Holman, Frenia & Allison PC regarding the above-referenced professional auditing services.
2. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Holman, Frenia & Allison PC
 - b. Michael Capabianco Borough Administrator

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #032-01-05-22**

APPOINT PUBLIC DEFENDER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THOMAS ROSSELLI, ESQ., TO THE POSITION OF PUBLIC DEFENDER FOR A TERM TO EXPIRE DECEMBER 31, 2022 OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #033-01-05-22**

A RESOLUTION CONFIRMING THE APPOINTMENT OF A MUNICIPAL PROSECUTOR FOR THE BOROUGH OF JAMESBURG FOR THE YEAR 2022

WHEREAS, it is necessary for the Borough of Jamesburg (the “borough”) to engage the services of a Municipal Prosecutor in the Borough’s Municipal Court for the year 2022 in accordance with N.J.S.A. 2B:25-4, *et seq.*; and

WHEREAS, the Mayor has nominated Mohamed S. Jalloh, Esq. to serve as the Municipal Prosecutor for the year 2022; and

WHEREAS, Mr. Jalloh shall be compensated for services rendered during the regular court dates of the Jamesburg Borough Municipal Court on a monthly basis for the year 2022 in the amount of \$8,000.00 per annum; and

WHEREAS, Mr. Jalloh shall be paid an additional flat fee of \$300.00 per session for any additional court sessions that may be necessary outside of the regularly scheduled sessions; and

WHEREAS, Mr. Jalloh shall be paid at the rate of \$150.00 per hour for any matters that are appealed to the Superior Court; and

WHEREAS, the contemplated services are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* (specifically, at N.J.S.A. 40A:11-2), because the services shall be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS, the contemplated services are therefore exempt from the requirement of competitive bidding per N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough’s Chief Financial Officer has certified the availability of funds for said contract; and

WHEREAS, the Borough Council wishes to confirm the appointment of Mr. Jalloh to this position under the terms set forth above.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg, in the County of Middlesex and State of New Jersey, as follows:

1. That the Mayor’s nomination of Mohamed S. Jalloh, Esq. to fill the vacancy and serve as the Municipal Prosecutor in the Borough’s Municipal Court for the year 2022, at the rates set forth above, is hereby approved and confirmed.
- 2.
3. That the Mayor is hereby authorized to execute, and the Municipal Clerk to attest, an Agreement between the Borough of Jamesburg and Mohamed S. Jalloh, Esq., which Agreement shall be in a form satisfactory to the Borough Attorney, for the above-referenced services for the year 2022 in accordance with the provisions set forth above.
4. That the within contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
5. That said contract has been further awarded through a restricted (a/k/a “non-fair and open”) process, pursuant to and in accordance with the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law).
6. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
7. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Mohamed S. Jalloh, Esq.;
 - b. Hon. Michael A. Toto, A.J.S.C.;
 - c. Hon. Christine M. Heitmann, P.J.M.C.;
 - d. Tiffany Leverett-Agboola, Municipal Division Manager - Middlesex Vicinage;

- e. Christine Ward, Municipal Court Administrator;
- f. Michael N. Capabianco, Borough Administrator; and
- g. Frederick C. Raffetto, Esq., Municipal Attorney.

COUNCIL MEMBER	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #034-01-05-22**

APPOINTING PHOENIX ADVISORS, LLC AS THE BOROUGH’S MUNICIPAL FINANCIAL ADVISOR

WHEREAS, the Borough of Jamesburg is in need of Financial Advisor services; and

WHEREAS, the contemplated services are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* (specifically, at N.J.S.A. 40A:11-2), because the services shall be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS, the contemplated services are therefore exempt from the requirement of competitive bidding per N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, Phoenix Advisors has submitted a proposal indicating that the firm will provide services as Municipal Financial Advisor at rates set forth in the agreement on file with the CFO and Borough Clerk; and

WHEREAS, the Mayor, Clerk and the Borough Administrator are hereby authorized to sign any documents related to this appointment; and

WHEREAS, a certified copy of this Resolution shall be sent to the Borough Engineer, Director of Public Works, and the Administrator/CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Phoenix Advisors, LLC shall be appointed as the Municipal Financial Advisor for the year of 2022.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council President Taylor			X			
Mayor Lowande						

RESOLUTION #035-01-05-22**

APPOINTING McMANIMON, SCOTLAND & BAUMANN, LLC AS THE BOROUGH'S BOND COUNSEL

WHEREAS, the Borough of Jamesburg is in need of Bond Counsel; and

WHEREAS, the contemplated services are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* (specifically, at N.J.S.A. 40A:11-2), because the services shall be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS, the contemplated services are therefore exempt from the requirement of competitive bidding per N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, McManimon, Scotland & Baumann has submitted a proposal indicating that the firm will provide services as Municipal Financial Advisor at rates set forth in the agreement on file with the CFO and Borough Clerk; and

WHEREAS, the Mayor, Clerk and the Borough Administrator are hereby authorized to sign any documents related to this appointment; and

WHEREAS, a certified copy of this Resolution shall be sent to McManimon, Scotland & Baumann and the Administrator/CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that McManimon, Scotland & Baumann, LLC shall be appointed as the Borough’s Bond Counsel for the year of 2022.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas		X	X			
Council Member Rampacek			X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council President Taylor			X			
Mayor Lowande						

- Resolution #028 and #029 were pulled off of consent agenda and tabled until the next meeting. Resolution #015 and #020 were also pulled off of consent and put on non-consent due to questions councilmembers had.

NON-CONSENT RESOLUTIONS

RESOLUTION #015-01-06-21**

APPOINT EMERGENCY MANAGEMENT COUNCIL

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING TO SERVE ON THE MIDDLESEX COUNTY EMERGENCY MANAGEMENT COUNCIL FOR 2022:

ALERT WARNING COMMUNICATIONS	POLICE CHIEF
DAMAGE ASSESSMENT	BOROUGH ADMINISTRATOR
EMERGENCY OPERATING CENTER	COORDINATOR BRIAN WRIGHT
EMERGENCY MEDICAL SERVICES	FIRST AID CHIEF
PUBLIC INFORMATION	MAYOR MARLENE LOWANDE
EVACUATION	POLICE CHIEF
FIRE	FIRE CHIEF
HAZARDOUS MATERIALS	CARLOS MORALES
LAW ENFORCEMENT	POLICE CHIEF
PUBLIC HEALTH	COUNTY HEALTH INSPECTOR
PUBLIC WORKS	FOREMAN JOSEPH INTRAVARTOLA

RADIOLOGICAL

CARLOS MORALES

RESOURCE MANAGEMENT

CHIEF FINANCIAL OFFICER MICHAEL
CAPABIANCO

SHELTER COORDINATOR

COLEEN RUTSKY

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas			X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor			X			
Mayor Lowande						

RESOLUTION #020-01-05-22**

GENERAL BUSINESS

BE IT RESOLVED, in the matter of making prompt provision for the efficient conduct of the business of this Borough, that the Borough Council of the Borough of Jamesburg make the following determinations and authorizations, to with:

1. The Home News Tribune, Star Ledger and the Cranbury Press are hereby designated for the year 2022 as the official newspapers for the Borough of Jamesburg in the County of Middlesex for the publication of all legal notices and advertisements of the Borough and all its Boards, Bodies, Committees, Offices and Agencies, as required by N.J.S.A. 40:53-1, and the statutes in such case made and provided.
2. The Bulletin Board in the lobby of the Borough of Jamesburg Municipal Building, 131 Perrineville Road, the seat of the government of the Borough, is designated as the Municipal Bulletin Board, and as the place where all public notices, including pending ordinances shall be posted as required by law.
3. All Borough monies shall be paid out by checks bearing the two (2) signatures, with at least one being an original signature. However, this regulation shall not govern monies collected by and deposited by the Municipal Court Administrator. This regulation shall not apply to any other necessary transactions or transfers.
4. The rate of interest to be charged for the non-payment of taxes and assessments or before the date when they would become delinquent is fixed pursuant to N.J.S.A. 54:4-67 at the rate of 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency. No interest shall be charged if payment of any installment is made within ten days after the date upon which the same became payable.
5. The rate of interest to be charged for non-payment of sewer utility charges or before the date when they would become delinquent is fixed pursuant to N.J.S.A. 54:4-67 at the rate of 8% per annum on the

first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency. No interest shall be charged if payment of any installment is made within ten days after the date upon which the same became payable.

6. The Tax Collector is empowered by statute to conduct and preside over the sale of liens and N.J.S.A. 54-5 et. seq., provides for the enforcement and collection of such delinquencies through a tax lien sale. The Borough of Jamesburg Tax Collector is authorized to conduct a tax lien sale for 2021 delinquent taxes and sewer utility charges and is authorized to charge \$25.00 mailing costs, per property, to the costs of the lien sale as per N.J.S.A. 54:5-26, which allows the Tax Collector to mail two (2) notices in lieu of two (2) newspaper advertisements in preparation for the tax lien sale.
7. Anyone issuing a check to the Borough that is returned by the bank for any reason shall be charged a \$20.00 returned check charge pursuant to N.J.S.A. 40A:5-18
8. The Tax Collector is authorized as follows:
 - a. to process, pursuant to N.J.S.A. 40A:5-17.1, without further action on the part of the Governing Body the cancellation any property tax/sewer refund or delinquency of less than \$10.00;
 - b. to correct any and all errors of fees levied against properties held by entities that are exempt from taxes or that is held by the Borough of Jamesburg; and
 - c. to cancel and reimburse, pursuant to N.J.S.A. 54:4-3.30, real property taxes collected for permanently disabled veterans and senior citizens, and to correct the tax records of said veterans and senior citizens.
9. The Tax Assessor is authorized to file corrective tax appeals with the Middlesex County Board of Taxation concerning those properties wherein errors were made, and is authorized to file cross-petitions and cross-claims for appeals to both the Middlesex County Board of Taxation and the New Jersey Tax Court requesting increases in tax assessments. The Tax Assessor and Borough Attorney are hereby authorized to settle any and all appeals filed with the Middlesex County Tax Board, New Jersey Tax Court, and any appeals to the Appellate Division or Supreme Court. The Borough Attorney or designee is authorized to file all appeals, counterclaims in accordance with the local and Court Rules the Tax Assessment appeals.
10. The Chief Financial Officer is hereby authorized to cancel outstanding checks issued by the Borough of Jamesburg on an as needed basis.
11. The Tax Collector is hereby authorized to issue and execute new certificates of sale to replace lost or destroyed tax title certificates for a fee of \$100.00 pursuant to N.J.S.A. 54:5-52.1
12. Pursuant to N.J.S.A. 54:4-54, the Borough Tax Assessor is hereby authorized to correct any errors in assessment and cause the tax record to be corrected. Pursuant to N.J.S.A. 54:4-54, the Borough Tax Assessor is hereby authorized to cancel an assessment intended for one parcel that has been placed upon another parcel, and may cancel the erroneous assessment. Pursuant to N.J.S.A. 54:4-54, the Borough Tax Assessor may cancel an erroneous assessment, and the Tax Collector may return without interest any money paid by one not the owner of a parcel intended to be assessed, and enter upon the record the assessment and tax against the proper parcel.
13. Pursuant to the Borough personnel policy, the following dates in 2022 shall constitute the official holidays of the Borough of Jamesburg:

January 17,2022	Martin Luther King's Birthday
February 21, 2022	Presidents Day
April 15, 2022	Good Friday
May 30, 2022	Memorial Day
July 04, 2022	Independence Day
September 05, 2022	Labor Day
October 10, 2022	Columbus Day
November 08, 2022	Election Day
November 11,2022	Veterans Day
November 24, 2022	Thanksgiving Day
November 25, 2022	Day after Thanksgiving
December 26, 2022	Christmas Day - Observed

14. The regular meetings of the Borough Council for the year 2022, will be held at the Borough Hall, 131 Perrineville Road, Jamesburg, New Jersey and shall be held on the dates set forth below. The time set for said meetings is 7:00pm, prevailing time and the Borough Clerk is directed to advertise notice of meetings in accordance with the Open Public Meetings Act and said notice shall also be posted on the Municipal Bulletin Board.

Reorganization – January 05, 2022

January 19, 2022

February 16, 2022 *Budget Workshop at 7:00 pm, Council meeting to follow.

March 16, 2022

April 20, 2022

May 18, 2022

June 15, 2022

July 20, 2022

August 17, 2022

September 21, 2022

October 19, 2022

December 21, 2022

Reorganization – January 04, 2023

15. The 2022 Rates related to the Special Duty Assignment of Police Officers are:

\$80.00 PER HOUR FOR THE OFFICER
\$30.00 PER HOUR FOR ADMINISTRATIVE FEES
 \$110.00 PER HOUR TOTAL

16. Pursuant to N.J.S.A. 40A:4-8, the Borough of Jamesburg hereby authorizes the reading of the proposed 2022 Municipal Budget by title only at the time of the public hearing as long as the following has occurred:

1. At least one (1) week prior to the date of the public hearing on the proposed 2022 municipal budget, a complete copy of the approved budget shall be made available for public inspection at the Jamesburg Library located at 229 Gatzmer Avenue, Jamesburg, NJ; and
2. The Municipal Clerk of the Borough of Jamesburg shall deliver the copies of the approved budget to the library and shall forward to the Mayor and Council an attestation that such delivery was made; and
3. Copies are made available to each person requesting the same, during said week and during the public hearing.

17. The Borough of Jamesburg officially adopts Robert’s Rules of Order for the conduct of its meetings.

18. The Borough of Jamesburg establishes it is unlawful for any minor under the age of eighteen (18) years to loiter, idle, wander, stroll or play in or upon or to remain in or upon any public place which shall mean any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation, parking lot or any other public building, structure or area, either on foot or in any vehicle within the confines of the Borough between the hours of 8:00 PM and 6:00 AM on October 30 and 31, 2022 unless accompanied by his parent, guardian or other adult person having custody, care and control of the minor, or in the event the minor is upon an emergency errand or legitimate business directed or consented to by his parent, guardian or other adult having care and custody of the minor.

19. The Borough of Jamesburg shall reimburse for mileage as per the current IRS rate.

20. The Borough of Jamesburg has adopted as its official Open Public Records Act request form the model form that has been adopted by the State of New Jersey’s Government Records Council.

21. For the calendar year of 2022, the Borough of Jamesburg hereby delegates the authority to act as the “issuing authority” to the Municipal Clerk for the purpose of approving the granting of the following licenses; raffle and bingo, junk yard permit, laundries/laundrettes, coin operated games/amusements, news racks, juke boxes, vending machines, pool/billiard table pinball including coin operated tables, annual renewal of tattoo license.

22. Pursuant to N.J.S.A. 10:4-12 the Borough Council hereby establishes a five (5) minute limit on public comment. An individual shall not be able to cede time to another individual. Additionally, each speaker shall conduct themselves in a proper manner and shall be subject to removal from the meeting for violating these terms.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council Member Taylor				X		
Mayor Lowande						

- Resolution #031 and #036 were pulled off of non-consent and tabled.

MOTION TO ADJOURN:

Proposed By: Rampacek

Seconded By: Taylor

TIME OF ADJOURNMENT: 7:20 PM

Susan Boulogne
Registered Municipal Clerk
Borough of Jamesburg